

MONDAY, MARCH 10, 2014

FIFTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Marvin Neill, Revelation of the Word Church, Madison, TN.

Representative Rogers led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Love; personal

Representative Jones

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 164 Rep(s). Durham, Casada as prime sponsor(s).

House Joint Resolution No. 540 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 548 Rep(s). Todd, Alexander, Dean, Watson, Forgety and Evans as prime sponsor(s).

House Joint Resolution No. 552 Rep(s). Evans and Holt as prime sponsor(s).

House Joint Resolution No. 682 Rep(s). Dean as prime sponsor(s).

House Joint Resolution No. 687 Rep(s). Pitts as prime sponsor(s).

House Joint Resolution No. 751 Rep(s). Faison as prime sponsor(s).

House Joint Resolution No. 752 Rep(s). Faison as prime sponsor(s).

House Joint Resolution No. 753 Rep(s). Faison as prime sponsor(s).

House Joint Resolution No. 755 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 757 Rep(s). Bailey and Sexton as prime sponsor(s).

House Joint Resolution No. 763 Rep(s). C. Johnson and Tidwell as prime sponsor(s).

House Bill No. 1368 Rep(s). T. Hill as prime sponsor(s).

House Bill No. 1410 Rep(s). Evans as prime sponsor(s).

House Bill No. 1445 Rep(s). Weaver as prime sponsor(s).

House Bill No. 1494 Rep(s). D. Carr as prime sponsor(s).

House Bill No. 1495 Rep(s). D. Carr, Hardaway and Haynes as prime sponsor(s).

House Bill No. 1547 Rep(s). Sparks, Todd, Lynn, Hall and Spivey as prime sponsor(s).

House Bill No. 1549 Rep(s). Haynes, Lamberth, Eldridge, Keisling, Bailey, McCormick, K. Brooks, Dennis, Evans, Sparks, Durham, Dean, Swann, Wirgau, Ragan, C. Johnson, Halford, Todd, R. Williams, Lundberg, Coley, Lynn, Sexton, Marsh, Carter and Sargent as prime sponsor(s).

House Bill No. 1573 Rep(s). Lamberth, Sanderson and Rogers as prime sponsor(s).

House Bill No. 1652 Rep(s). D. Carr, Goins, Dennis, Bailey, Lamberth and Evans as prime sponsor(s).

House Bill No. 1697 Rep(s). Littleton, Bailey, Goins, Rogers, Weaver, Cooper, Akbari, Camper, Dean and Holt as prime sponsor(s).

House Bill No. 1710 Rep(s). Dean as prime sponsor(s).

House Bill No. 1728 Rep(s). Casada and McManus as prime sponsor(s).

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1763 Rep(s). G. Johnson, Camper, Armstrong, Hardaway and Shaw as prime sponsor(s).

House Bill No. 1788 Rep(s). Hardaway and Cooper as prime sponsor(s).

House Bill No. 1906 Rep(s). Rogers and Evans as prime sponsor(s).

House Bill No. 1995 Rep(s). Camper, Akbari, Towns, Todd, J. Turner and Cooper as prime sponsor(s).

House Bill No. 2152 Rep(s). Camper as prime sponsor(s).

House Bill No. 2417 Rep(s). McCormick as prime sponsor(s).

House Bill No. 2424 Rep(s). D. White, D. Carr, Lundberg, Lamberth, K. Brooks, Lynn, Littleton, Butt, Shipley, T. Hill, Moody, Hall, Kane, Holt, R. Williams, Evans, McManus, Travis and Durham as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Matheny was/were removed as sponsor(s) of **House Bill No. 1778**.

On motion, Rep(s). McManus was/were removed as sponsor(s) of **House Bill No. 2303**.

**MESSAGE FROM THE SENATE
March 7, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 596, 597, 607, 628 and 629; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 7, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 596, 597, 607, 628 and 629.

JOE McCORD, Chief Clerk

**ENROLLED BILLS
March 7, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1414, 1759, 2138, 2251, 2302 and 2408; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

ENROLLED BILLS

March 7, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 709, 710, 711, 712, 713, 714, 715, 716, 717 and 718; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

March 7, 2014

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 709, 710, 711, 712, 713, 714, 715, 716, 717 and 718.

GREG GLASS, Interim Chief Engrossing clerk

MESSAGE FROM THE SENATE

March 7, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 709, 710, 711, 712, 713, 714, 715, 716, 717 and 718; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 10, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1614, 1773 and 2259; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1614 -- Agriculture - As introduced, defines agriculture to include entertainment activities that occur on land where farm products and nursery stock are produced; requires that the Tennessee Right to Farm Act be construed broadly to effectuate its purposes. - Amends TCA Title 1, Chapter 3, Part 1; Title 43, Chapter 1, Part 1 and Title 43, Chapter 26, Part 1. by *Norris. (*HB1410 by *McCormick, *Doss, *Holt, *Brooks K, *Eldridge)

Senate Bill No. 1773 -- Lottery, Scholarships and Programs - As introduced, eliminates antiquated language from the definition of home school student for purposes of lottery scholarships and grants so that the definition matches the substantive provisions of law. - Amends TCA Title 49, Chapter 4, Part 9. by *Bell. (*HB1668 by *Kane)

Senate Bill No. 2259 -- Public Property - As introduced, authorizes any public building authority to establish and charge certain fees for parking. - Amends TCA Title 12 and Title 55. by *Massey. (*HB1801 by *Haynes)

MESSAGE FROM THE SENATE

March 10, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 580 and 582; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 580** -- General Assembly, Confirmation of Appointment - David Watson, fish and wildlife commission. by *Gardenhire, *Watson.

***Senate Joint Resolution No. 582** -- General Assembly, Confirmation of Appointment - Connie King, Tennessee fish and wildlife commission. by *Green.

MESSAGE FROM THE SENATE

March 10, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1936; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1936 -- Consumer Protection - As introduced, enacts the "True Origin of Goods Act", to aid consumers in identifying persons who may be offering counterfeit goods on the Internet. - Amends TCA Title 47. by *Johnson, *Yager. (*HB1763 by *McCormick, *Towns, *Turner J, *Turner M, *White M, *McManus, *Miller, *Sexton, *Mitchell, *Powell, *Stewart, *Camper, *Armstrong, *Hardaway, *Shaw)

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Weaver was recognized in the Well to introduce Trousdale County Yellow Jackets Football Team for being the 2013 TSSAA 2A State Champions

RESOLUTION READ

The Clerk read House Joint Resolution No. 744, adopted March 6, 2014, honoring the Trousdale High School Football Team as the 2013 TSSAA 2A State Champions.

House Joint Resolution No. 744 -- Memorials, Sports - Trousdale High School Football Team, 2013 TSSAA 2A State Champions. by *Weaver, *Pody.

RECOGNITION IN THE WELL

Representative Matheny was recognized in the Well to honor the Arnold Engineering Development Complex.

3017

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

RESOLUTION READ

The Clerk read House Joint Resolution No. 718, adopted February 27, 2014, recognizing and commemorating the Arnold Engineering Development Complex.

House Joint Resolution No. 718 -- Memorials, Recognition - Commemorates Arnold Engineering Development Complex. by *Matheny.

RULES SUSPENDED

Rep. Pitts moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 763 out of order which motion prevailed.

House Joint Resolution No. 763 -- Memorials, Recognition - Academic Awards Student Recognition Program, Clarksville-Montgomery County Education Foundation, and Clarksville-Montgomery County School District. by *Pitts.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pitts, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 13, 2014:

House Resolution No. 177 -- Memorials, Public Service - James Wattenbarger, NWTF Overall Volunteer of the Year. by *Sexton.

House Joint Resolution No. 762 -- Memorials, Recognition - Silent Witness Program. by *Pitts, *Tidwell, *Johnson C.

House Joint Resolution No. 764 -- Memorials, Recognition - Commemorates "COPD Awareness Month". by *Sexton.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 13, 2014:

Senate Joint Resolution No. 627 -- Memorials, Recognition - Ryan Kirst, Prudential Spirit of Community Award. by *Overbey.

Senate Joint Resolution No. 630 -- Memorials, Death - Linda Kerley. by *Norris.

Senate Joint Resolution No. 632 -- Memorials, Recognition - Rarity Bay, 2014 Bliss Award Winner - Best Tennessee Community of the Year. by *McNally.

Senate Joint Resolution No. 634 -- Memorials, Retirement - Linda Tate. by *Bowling.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 493** -- Constitutional Conventions - Makes application to the U.S. Congress to call a constitutional convention for the sole purpose of proposing a federal balanced budget amendment.. by *Kelsey, *Green, *Bell, *Norris, *Gardenhire, *Haile, *Massey, *Stevens.

House State Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2512 -- Sumner County - As introduced, repeals antiquated private act prohibiting the register from recording deeds for real estate or plats unless it has been filed with the tax assessor first. - Amends Chapter 122 of the Private Acts of 1967; as amended. by *Lamberth.

House Bill No. 2513 -- Lebanon - As introduced, designates certain positions as "department heads"; authorizes the city council to discipline or terminate for cause department heads by majority vote instead of 2/3 vote; requires the city judge to be appointed by the mayor and approved by majority vote of the city council; permits city council to eliminate any department head for budgetary reasons; deletes the authorization to elect the city judge if an ordinance empowers the city judge to have general session powers; establishes disciplinary proceedings against department heads and disciplinary appeals process; authorizes mayor and city council to issue verbal or written reprimands against any department head with no right to appeal; authorizes the mayor to hire the chief of police and chief of fire by designating such positions as department heads. - Amends Chapter 644 of the Private Acts of 1911; as amended and rewritten. by *Pody.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1617 -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the Insurance Holding Company Act of 1986. - Amends TCA Title 56. by *Norris, *Watson. (*HB1413 by *McCormick, *Kane, *Brooks K)

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 1677 -- Taxes, Agricultural and Open Spaces - As introduced, defines "capitalization rate" for greenbelt purposes as the average lending rate for agricultural land based on the most recent survey by the State Board of Equalization of lenders at the time of the calculation. - Amends TCA Title 67, Chapter 5, Part 10. by *Southerland. (*HB1448 by *Hawk)

***Senate Bill No. 1724** -- Education - As introduced, redefines the definition of "high performing school district" for purposes of the High Performing School Districts Flexibility Act. - Amends TCA Title 49, Chapter 2, Part 7. by *Johnson. (HB2252 by *Casada, *Sargent)

Senate Bill No. 2133 -- Collection Agencies - As introduced, exempts certain entities from the Tennessee Collection Service Act. - Amends TCA Title 62, Chapter 20. by *Johnson, *Green. (*HB1856 by *Keisling, *Lundberg, *Johnson C, *Sargent, *Fitzhugh)

***Senate Bill No. 2270** -- County Clerks - As introduced, authorizes former county clerks of this state who occupied the office of county clerk on or after July 1, 2014, to solemnize the rite of matrimony. - Amends TCA Section 36-3-301. by *Yager. (HB2274 by *Armstrong)

Senate Bill No. 2333 -- Tourism - As introduced, expands the applicability of the tourism development authority act to include Shelby County and its municipalities. - Amends TCA Title 7, Chapter 69, Part 1. by *Kelsey, *Tate, *Ford, *Kyle. (*HB1865 by *McManus)

***Senate Bill No. 2420** -- Corporations, Not for Profit - As introduced, enables industrial development corporations to enter into loan agreements for activities, costs, debt restructuring or working capital associated with projects and permits industrial development corporations to forgive debt and transfer assets as well as property held by the corporation. - Amends TCA Title 7, Chapter 53. by *Norris. (HB2300 by *Todd)

CONSENT CALENDAR

***House Joint Resolution No. 634** -- General Assembly, Statement of Intent or Position - Encourages high schools to have read aloud a statement about the 200th anniversary of the National Anthem before the playing of the National Anthem at sporting or other school-sponsored events occurring on September 12, 2014. by *McDaniel.

House Bill No. 1977 -- Education - As introduced, requires any waiver of rules, regulations or policies granted by the Department of Education to be posted on the department's web site within five business days of approval; requires a rationale of the waiver to be included on the web site. - Amends TCA Title 49, Chapter 1, Part 2. by *Pitts, *Mitchell, *Rogers.

***House Joint Resolution No. 667** -- Memorials, Government Officials - Urges United States fish and wildlife service to permit Tennessee to count permanent senior citizens hunting & fishing license holders in annual license certification for purpose of qualifying for certain federal funding. by *Lollar, *Coley, *Wirgau, *Halford, *Faison, *Holt, *Butt, *Swann, *Travis, *Bailey.

***House Bill No. 2262** -- Madisonville - As introduced, subject to local approval, increases mayor's monthly salary from \$50 to \$500; increases monthly salary of aldermen from \$50 to \$400. - Amends Chapter 663 of the Private Acts of 1911, as amended. by *Matlock, *Forgety.

***House Bill No. 1947** -- Lebanon - As introduced, increases, subject to local approval, the City of Lebanon's purchasing limit before sealed bids are required from \$5,000 to \$10,000. - Amends Chapter 644 of the Private Acts of 1911; as amended. by *Pody, *Lynn.

House Bill No. 1445 -- Emergency Communications Districts - As introduced, clarifies terms relative to the definition of a financially distressed emergency communications district by changing the phrase "net assets" to "net position". - Amends TCA Title 7, Chapter 86, Part 3. by *Lamberth.

On motion, House Bill No. 1445 was made to conform with **Senate Bill No. 1511**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2404** -- Metropolitan Government - As introduced, increases, from five to six, the number of members on the event and marketing fund committee of Metro Nashville by adding an appointee who owns or operates a business within the central business improvement district. - Amends TCA Title 7, Chapter 4. by *Turner M, *Jernigan, *Jones, *Gilmore, *Odom, *Powell, *Mitchell, *Love.

House Resolution No. 164 -- Memorials, Recognition - Carrie Deese, Prudential Spirit of Community Award. by *Sargent.

House Resolution No. 165 -- Memorials, Recognition - Opportunities Industrialization Centers of America, 50th anniversary. by *Gilmore.

House Resolution No. 166 -- Memorials, Personal Occasion - Evelyn Robinson Hardin, 100th Birthday. by *Favors.

House Resolution No. 167 -- Memorials, Recognition - Alexandra Christopoulos, 2014 Prudential Spirit of Community Award. by *Haynes.

House Resolution No. 168 -- Memorials, Recognition - Gunnery Sgt. Kevin Neal, U.S. Marine Corps. by *VanHuss.

House Resolution No. 170 -- Memorials, Retirement - Stephen Ray Barrickman. by *Sargent.

House Resolution No. 171 -- Memorials, Recognition - Commemorates "National Church School Day" and "Back to Church School Crusade Months". by *Cooper.

House Resolution No. 173 -- Memorials, Recognition - Traci Nordberg. by *Hardaway.

House Resolution No. 174 -- Memorials, Recognition - Dr. Julie Hudson. by *Hardaway.

House Resolution No. 175 -- Memorials, Recognition - Dr. Kennard Brown. by *Hardaway.

House Resolution No. 176 -- Memorials, Recognition - Tatum Hauck Allsep. by *Hardaway.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 736 -- Memorials, Sports - Kyle Lewis, Rogersville Review's Boys' All-Hawkins County Basketball Player of the Year. by *Harrison.

House Joint Resolution No. 745 -- Memorials, Personal Occasion - Ed and Peggy Sullivan, 50th Wedding Anniversary. by *Harrison.

House Joint Resolution No. 746 -- Memorials, Academic Achievement - Hope Marie Adkins, Niswonger Foundation Scholarship. by *Harrison.

House Joint Resolution No. 747 -- Memorials, Sports - Aubree Armstrong, Rogersville Review Girls' All-Hawkins County Basketball Player of the Year. by *Harrison.

House Joint Resolution No. 748 -- Memorials, Academic Achievement - Jasmine S. Chaparro, Valedictorian, Macon County High School. by *Keisling.

House Joint Resolution No. 749 -- Memorials, Academic Achievement - Rachel Shrum, Salutatorian, Macon County High School. by *Keisling.

House Joint Resolution No. 750 -- Memorials, Recognition - Tuckers Crossroads School, 100th anniversary. by *Pody.

House Joint Resolution No. 751 -- Memorials, Professional Achievement - Elizabeth Jaynes, Jefferson County Schools' Grades PreK-4 Teacher of the Year. by *Farmer.

House Joint Resolution No. 752 -- Memorials, Professional Achievement - Sheila Evans, Jefferson County Schools' Grades 9-12 Teacher of the Year. by *Farmer.

House Joint Resolution No. 753 -- Memorials, Professional Achievement - Sarah McCue, Jefferson County Schools' Grades 5-8 Teacher of the Year. by *Farmer.

House Joint Resolution No. 754 -- Memorials, Death - Dr. Debra Lynn Heard Lloyd. by *Faison.

House Joint Resolution No. 755 -- Memorials, Professional Achievement - Demetria Kalodimos. by *Harwell, *Odom, *Turner M, *Love, *Gilmore, *Jones, *Stewart, *Jernigan, *Mitchell, *Powell.

House Joint Resolution No. 756 -- Memorials, Retirement - Rev. Bob Cowperthwaite. by *Sargent, *Durham, *Casada.

House Joint Resolution No. 757 -- Memorials, Sports - Bobby Clay Worthington, archery. by *Travis.

House Joint Resolution No. 758 -- Memorials, Academic Achievement - Gillian Mak, Salutatorian, Wilson Central High School. by *Pody.

House Joint Resolution No. 759 -- Memorials, Academic Achievement - David Gil-Chis, Valedictorian, Wilson Central High School. by *Pody.

House Joint Resolution No. 761 -- Memorials, Sports - Blackman High School cheerleaders. by *Womick, *Sparks, *White D, *Carr J.

Senate Joint Resolution No. 598 -- Memorials, Professional Achievement - Dr. William Roy Thompson, Academy of General Dentistry Humanitarian of the Year. by *Tracy, *Ketron.

Senate Joint Resolution No. 599 -- Memorials, Recognition - James Clark. by *Tracy.

Senate Joint Resolution No. 602 -- Memorials, Retirement - Arlene Martin-Norman. by *Dickerson, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Finney, *Gardenhire, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 608 -- Memorials, Academic Achievement - Jonathan Michael Bunton, Salutatorian, Northeast High School. by *Green.

Senate Joint Resolution No. 609 -- Memorials, Academic Achievement - Amber Nicole Woods, Valedictorian, Northeast High School. by *Green.

Senate Joint Resolution No. 610 -- Memorials, Academic Achievement - Corey Edward Ness, Salutatorian, Kenwood High School. by *Green.

Senate Joint Resolution No. 611 -- Memorials, Academic Achievement - Steven LeGrande James, Valedictorian, Kenwood High School. by *Green.

Senate Joint Resolution No. 612 -- Memorials, Academic Achievement - Logan Hunter Spoonamore, Salutatorian, Rossvie High School. by *Green.

Senate Joint Resolution No. 613 -- Memorials, Academic Achievement - Sheer Manoj Zauer, Valedictorian, Rossvie High School. by *Green.

Senate Joint Resolution No. 614 -- Memorials, Academic Achievement - Kaitlin Brianna Hart, Salutatorian, Montgomery Central High School. by *Green.

Senate Joint Resolution No. 615 -- Memorials, Academic Achievement - Madison Paige Gaither, Valedictorian, Montgomery Central High School. by *Green.

Senate Joint Resolution No. 616 -- Memorials, Academic Achievement - Ashley Christina Rivera, Salutatorian, Clarksville High School. by *Green.

Senate Joint Resolution No. 617 -- Memorials, Academic Achievement - Clare Isabella Grady, Valedictorian, Clarksville High School. by *Green.

Senate Joint Resolution No. 618 -- Memorials, Academic Achievement - Jerome Crawford Cunningham, Salutatorian, West Creek High School. by *Green.

Senate Joint Resolution No. 619 -- Memorials, Academic Achievement - Si Eun Kim, Valedictorian, West Creek High School. by *Green.

Senate Joint Resolution No. 620 -- Memorials, Academic Achievement - Terri Allyson Boothe, Salutatorian, Northwest High School. by *Green.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 621 -- Memorials, Academic Achievement - Zachary Austin Resendez, Valedictorian, Northwest High School. by *Green.

Senate Joint Resolution No. 624 -- Memorials, Sports - Bearden High School dance team. by *Campfield, *Massey.

Senate Joint Resolution No. 625 -- Memorials, Death - Honors the memory of Shelby Jean Scott of Pleasant Hill. by *Finney .

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 170: by Rep. Sargent

House Resolution No. 174: by Rep. Hardaway

House Resolution No. 175: by Rep. Hardaway

House Resolution No. 176: by Rep. Hardaway

Under the rules, House Resolution(s) No(s). 170, 174, 175 and 176 were placed at the heel of the calendar for March 13, 2014.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1541** -- Fiscal Review Committee - As introduced, removes requirement that fiscal note be done in 10 days from introduction of bill; requires fiscal note to be done once standing committee of either house places the bill on calendar. - Amends TCA Title 3, Chapter 2; Title 3, Chapter 7 and Section 4-56-107. by *White M. (SB1762 by *Ketron)

Further consideration of House Bill No. 1541 previously considered on March 3, 2014, at which time the House adopted Amendment No. 1, it was then reset for today's Regular Calendar.

Rep. M. White moved that House Bill No. 1541 be passed on third and final consideration.

Rep. Womick moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1541 By deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 3-2-107(a)(1), is amended by deleting the language "Not more than ten (10) days following the introduction of any such bill or resolution," and substituting instead the language "Not more than fifteen (15) days following the introduction of any such bill or resolution,".

SECTION 2. Tennessee Code Annotated, Section 3-2-107(a)(1), is further amended by deleting the language "Within ten (10) days following receipt of a request from a member of the general assembly for a fiscal note on any proposed bill or resolution requiring a fiscal note, the fiscal review committee shall prepare a fiscal note statement to accompany such proposal at the time of introduction." and substituting instead the language "Within fifteen (15) days following receipt of a request from a member of the general assembly for a fiscal note on any proposed bill or resolution requiring a fiscal note, the fiscal review committee shall prepare a fiscal note statement to accompany such proposal at the time of introduction.".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. M. White moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	30
Noes.....	57

Representatives voting aye were: Armstrong, Brooks H, Calfee, Carr D, Carter, Dunn, Eldridge, Evans, Forgety, Halford, Harrison, Haynes, Johnson C, Lamberth, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Ramsey, Rich, Sargent, Sexton, Swann, Todd, Travis, White M, Madam Speaker Harwell -- 30

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Akbari, Alexander, Butt, Camper, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Durham, Faison, Farmer, Fitzhugh, Floyd, Gilmore, Goins, Hall, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson G, Kane, Keisling, Littleton, Lollar, Matheny, Mitchell, Moody, Odom, Parkinson, Pody, Powell, Powers, Ragan, Rogers, Sanderson, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Tidwell, Towns, Turner J, Turner M, Watson, Weaver, White D, Williams K, Windle, Wirgau, Womick -- 57

On motion of Rep. Womick, Amendment No. 2 was adopted by the following vote:

Ayes	46
Noes.....	43
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Butt, Carr J, Coley, Cooper, Durham, Faison, Fitzhugh, Floyd, Gilmore, Goins, Hall, Hardaway, Hill M, Hill T, Holt, Jernigan, Johnson G, Keisling, Matheny, Matlock, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Ragan, Rogers, Shaw, Shepard, Spivey, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Van Huss, Williams K, Windle, Wirgau, Womick -- 46

Representatives voting no were: Bailey, Brooks H, Brooks K, Carr D, Carter, Casada, Dean, Dennis, Dunn, Eldridge, Evans, Faison, Farmer, Forgety, Halford, Harrison, Hawk, Haynes, Johnson C, Kane, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, McCormick, McDaniel, McManus, Powers, Rich, Sanderson, Sargent, Sexton, Shipley, Swann, Travis, Watson, Weaver, White D, White M, Williams R, Madam Speaker Harwell -- 43

Representatives present and not voting were: Camper, DeBerry J -- 2

BILL RE-REFERRED

Rep. Haynes moved that **House Bill No. 1541** be re-referred to the State Government Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1410** -- Agriculture - As introduced, defines agriculture to include entertainment activities that occur on land where farm products and nursery stock are produced; requires that the Tennessee Right to Farm Act be construed broadly to effectuate its purposes. - Amends TCA Title 1, Chapter 3, Part 1; Title 43, Chapter 1, Part 1 and Title 43, Chapter 26, Part 1. by *McCormick, *Doss, *Holt, *Brooks K, *Eldridge. (SB1614 by *Norris)

On motion, House Bill No. 1410 was made to conform with **Senate Bill No. 1614**; the Senate Bill was substituted for the House Bill.

Rep. Doss moved that Senate Bill No. 1614 be passed on third and final consideration.

Rep. Lollar moved the previous question, which motion prevailed.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Doss moved that **Senate Bill No. 1614** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 4

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Cooper, Hardaway, Johnson G, Towns -- 4

A motion to reconsider was tabled.

***House Bill No. 1438** -- DUI Offenses - As introduced, eliminates the exception for certain employees to the ignition interlock installation requirement; clarifies provisions regarding the issuance and use of a restricted license in conjunction with an ignition interlock device. - Amends TCA Title 40, Chapter 11; Title 40, Chapter 33; Title 50; Title 55, Chapter 10, Part 4 and Title 55, Chapter 50, Part 5. by *McCormick, *Shipley, *Brooks K, *Hardaway. (SB1643 by *Norris, *Beavers)

On motion, House Bill No. 1438 was made to conform with **Senate Bill No. 1643**; the Senate Bill was substituted for the House Bill.

Rep. Shipley moved that **Senate Bill No. 1643** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Rich, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1643** and have this statement entered into the Journal: Rep(s). Butt.

REGULAR CALENDAR, CONTINUED

House Bill No. 2424 -- Taxes, Inheritance Gift - As introduced, for tax years 2014 and 2015, annually raises the gross amount of a small estate that is below the statutory exemption and is not required to file a short form inheritance tax return. - Amends TCA Title 67, Chapter 8. by *Spivey, *Rogers, *Carr D, *Lundberg, *Lamberth, *Brooks K, *Lynn, *Littleton, *Butt, *Shipley, *Hill T, *Moody, *Hall, *Kane, *Holt, *Williams R, *Evans, *McManus, *Travis, *Durham. (*SB1821 by *Bowling)

Rep. Spivey moved that **House Bill No. 2424** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1668** -- Lottery, Scholarships and Programs - As introduced, eliminates antiquated language from the definition of home school student for purposes of lottery scholarships and grants so that the definition matches the substantive provisions of law. - Amends TCA Title 49, Chapter 4, Part 9. by *Kane. (SB1773 by *Bell)

On motion, House Bill No. 1668 was made to conform with **Senate Bill No. 1773**; the Senate Bill was substituted for the House Bill.

Rep. Kane moved that **Senate Bill No. 1773** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives present and not voting were: Cooper, Holt -- 2

A motion to reconsider was tabled.

House Bill No. 1788 -- Health Care - As introduced, sets specific requirements for various health care providers to provide information on infant cardiopulmonary resuscitation at certain times. - Amends TCA Title 68, Chapter 5. by *Faison, *Kane, *Cooper. (*SB1886 by *Gresham)

On motion, House Bill No. 1788 was made to conform with **Senate Bill No. 1886**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that **Senate Bill No. 1886** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 2152 -- Tennessee Emergency Management Agency (TEMA) - As introduced, permits TEMA and broadcasters to develop comprehensive plans for preparing for and responding to an emergency or disaster; permits emergency response broadcasters to access an area affected by an emergency to restore communications and transmit public information. - Amends TCA Title 58, Chapter 2. by *Armstrong, *Shaw, *Miller, *Lundberg. (*SB1805 by *Stevens, *Ketron)

Rep. Armstrong moved that House Bill No. 2152 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2152 by deleting the WHEREAS clauses and substituting instead the following:

WHEREAS, broadcasters licensed by the Federal Communication Commission carry a heavy burden in transmitting information to all Tennessee citizens during times of emergency; and

WHEREAS, during recent tornado and flooding emergencies, questions have arisen as to whether broadcast engineers could access a broadcaster's facilities for the purpose of keeping any station's signal on the air and thereby provide lifesaving information to Tennessee citizens; and

WHEREAS, it is in the best interest of citizens of this state that broadcast stations be returned to service as soon as possible during times of emergency; that terrestrial radio and television stations are able to provide one-to-many communications even when cell phone sites and electric power distribution systems are out of commission. Emergency broadcasting plays a critical role in the rapid dissemination of information to the public, and is a key element in helping save lives in the aftermath of natural disasters, and

WHEREAS, there is a knowledgeable and professional organization capable of certifying the broadcast personnel who are appropriate to be permitted access to their stations in order to return their service to the air; now, therefore,

AND FURTHER AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Emergency Response Broadcasters Act."

SECTION 2. Tennessee Code Annotated, Section 58-2-101, is amended by adding the following as new, appropriately designated subdivisions:

() "Broadcaster" means a radio broadcasting station or a television broadcasting station primarily engaged in the business of facilitating or

originating speech, pictures or both through over the air communications, both as to pure speech and commercial speech and for all purposes operating under licenses provided by the federal communications commission and which station has been selected by the federal emergency management agency as a primary entry point;

() “Emergency response broadcaster” means a person certified pursuant to § 58-2-134 as an emergency response broadcaster;

SECTION 3. Tennessee Code Annotated, Title 58, Chapter 2, Part 1 is amended by adding the following as a new section:

58-2-134.

(a) A state organization representing the majority of broadcasters in this state, in cooperation with the state and local emergency management agencies may develop plans for preparing for and responding appropriately to an emergency or disaster.

(b) Any state organization that represents the majority of the state’s broadcasters may establish a program for training and certifying broadcast engineers and technical personnel as emergency response broadcasters. Any such program established pursuant to this subsection (b) shall:

(1) Be consistent with the federal law and guidelines;

(2) Provide training and education concerning restoring, repairing, and resupplying any facilities and equipment of a broadcaster in an area affected by an emergency; and

(3) Provide training and education concerning the personal safety of an emergency broadcaster in an area affected by an emergency.

(c) To the extent practical and consistent with not endangering public safety or inhibiting recovery efforts, state and local officers and workers and government agencies shall allow emergency response broadcasters access to an area affected by an emergency for the purpose of restoring, repairing, or resupplying any facility or equipment critical to the ability of a broadcaster to acquire, produce, and transmit essential public information programming, including, without limitation, repairing and maintaining transmitters and generators and transporting fuel for generators.

(d) No emergency response broadcaster shall access an area affected by an emergency for the purpose of creating audio or video program content or transmitting information to the public.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Bill No. 2152**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 2152** and have this statement entered into the Journal: Rep(s). J. Turner.

REGULAR CALENDAR, CONTINUED

House Bill No. 1494 -- Medical Occupations - As introduced, adds certain physician assistants to those designated professionals authorized to perform the duties of a physician under portions of involuntary admission to inpatient mental health treatment statute. - Amends TCA Title 33. by *Williams R. (*SB1502 by *Green)

On motion, House Bill No. 1494 was made to conform with **Senate Bill No. 1502**; the Senate Bill was substituted for the House Bill.

Rep. R. Williams moved that Senate Bill No. 1502 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1502 By inserting the language “the department based upon” between the language “as determined by” and “training, education or experience” in the amendatory language of Section 1.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, Health Committee Amendment No. 1 was adopted.

Rep. R. Williams moved that **Senate Bill No. 1502**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1502** and have this statement entered into the Journal: Rep(s). Van Huss.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1495** -- Physicians and Surgeons - As introduced, enables community mental health centers to employ physicians. - Amends TCA Title 63, Chapter 6. by *Williams R, *Hardaway, *Haynes. (SB1782 by *Crowe)

On motion, House Bill No. 1495 was made to conform with **Senate Bill No. 1782**; the Senate Bill was substituted for the House Bill.

Rep. R. Williams moved that Senate Bill No. 1782 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1782 by deleting all of the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 63-6-204(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d) Nothing in this section shall be construed to prohibit a community mental health center as defined in § 33-1-101 from employing a physician; provided, that the employment relationship between the physician and the community mental health center is evidenced by a written contract, job description or documentation, containing language which does not restrict the physician from exercising independent medical judgment in diagnosing and treating patients; provided, for the purposes of this subsection, physician does not include an anesthesiologist, an emergency department physician, a pathologist or a radiologist.

SECTION 2. Tennessee Code Annotated, Section 63-6-204(e), is amended by adding the following as a new subdivision (3):

(3) For the purposes of this subsection (e), physician does not include an anesthesiologist, an emergency department physician, a pathologist or a radiologist.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. R. Williams moved that **Senate Bill No. 1782**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 1995 -- Tennessee Bureau of Investigation - As introduced, requires the Tennessee bureau of investigation to update the missing children registry to include information about rescued missing children. - Amends TCA Title 38, Chapter 6, Part 1. by *Coley. (*SB1654 by *Kelsey, *Crowe)

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 1995 was made to conform with **Senate Bill No. 1654**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 1654 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 1654** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 1654** and have this statement entered into the Journal: Rep(s). Watson.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1547** -- Education - As introduced, enacts the "Religious Viewpoints Antidiscrimination Act". - Amends TCA Title 49, Chapter 10 and Title 49, Chapter 6. by *Rogers, *Moody, *Goins, *DeBerry J, *Shipley, *Pody, *Ragan, *Womick, *Floyd, *McCormick, *Casada, *Weaver, *Kane, *White D, *Dean, *Brooks K, *Evans, *Eldridge, *Holt, *Powers, *Hill T, *Hill M, *Windle, *VanHuss, *Swann, *Lamberth, *Brooks H, *Forgety, *White M, *Spivey. (SB1793 by *Haile, *Summerville)

Rep. Rogers moved that House Bill No. 1547 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1547 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Religious Viewpoints Antidiscrimination Act".

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following as a new part 18 thereto:

49-6-1801. As used in this part, "limited public forum" means public property that the LEA provides for students as a place for expressive activity which may impose reasonable, content-neutral time, place and manner restrictions on certain groups or topics of speech; provided, that the restriction is necessary and narrowly tailored to serve a compelling state interest.

49-6-1802.

(a) An LEA shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner in which the LEA treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint, if any, expressed by the student on an otherwise permissible subject.

(b) The provisions of this act shall comply with § 4-1-407, § 49-6-2904, any applicable state or federal laws, the Constitution of Tennessee and the United States Constitution. It is the intent of this act to allow LEAs to develop policies that ensure an LEA shall not discriminate against a student's voluntary expression of a faith based viewpoint, if any.

49-6-1803.

(a) An LEA shall not be required to provide a limited public forum pursuant to this act. If the LEA determines that it is appropriate to allow a student speaker at a school event, then the provisions of this act shall apply.

(b) To ensure that an LEA does not discriminate against a student's publicly stated voluntary expression of a religious viewpoint, if any, and to eliminate any actual or perceived affirmative school sponsorship or attribution to the LEA of a student's expression of a religious viewpoint, if any, an LEA shall adopt a policy, such as the model policy for student expression as created by the Tennessee School Boards Association, or the LEA may develop a policy that is in compliance with this act. The policy shall include the establishment of a limited public forum for student speakers at school events at which a student is to publicly speak. The policy regarding the limited public forum shall also require the LEA to:

(1) Provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject;

(2) Provide a method, based on neutral criteria, for the selection of student speakers at school events and graduation ceremonies;

(3) Ensure that a student speaker does not engage in speech that is obscene, vulgar, offensively lewd, indecent or promotes illegal drug use; and

(4) State, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the LEA.

(c) The LEA disclaimer required by subdivision (b)(4) shall be provided at all applicable circumstances at school events. The LEA shall also provide the disclaimer for any communications in which a student makes a public expression, for as long as a need exists to dispel confusion over the LEA's nonsponsorship of the student's communications.

(d) Student expression on an otherwise permissible subject may not be excluded from the limited public forum because the subject is expressed from a religious viewpoint.

49-6-1804. Students may express their written beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of the student's submissions. Homework and classroom assignments shall be judged by ordinary academic standards of substance and relevance and against other legitimate academic concerns identified by the LEA. Students may not be penalized or rewarded based on the religious content of the student's work.

49-6-1805. Students may organize religious student groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the students' expression. If student groups that meet for nonreligious activities are permitted to advertise or announce meetings of their groups, then the LEA may not discriminate against groups that meet for prayer or other religious speech. An LEA may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in expressions of faith or religious speech.

SECTION 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply beginning in the 2014-2015 school year and each school year thereafter.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. H. Brooks moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1547 By deleting the language “Association” in § 49-6-1803(b) in the amendatory language of Section 2 and by substituting instead the language “Association”.

On motion, Amendment No. 2 was adopted.

Rep. Rogers moved that **House Bill No. 1547**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Armstrong, Odom -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 1547** and have this statement entered into the Journal: Rep(s). Sargent.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on **House Bill No. 1547** and have this statement entered into the Journal: Rep(s). Armstrong.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 548** -- Constitutional Conventions - Makes application to Congress for the purpose of calling a convention of states concerning balanced budgeting. by *Powers, *Harwell, *Casada, *Wirgau, *Dunn, *Holt, *Brooks H, *Matheny, *Sanderson, *Ramsey, *Roach, *Swann, *Carr D, *Rich, *Farmer, *Floyd, *Lamberth, *Rogers, *VanHuss, *White D, *Littleton, *Brooks K, *Hill M, *Weaver, *McManus, *Harrison, *McDaniel, *Durham, *Matlock, *Calfee, *Eldridge, *Johnson C, *Sexton, *Travis, *Marsh, *Haynes, *Halford, *Sargent, *Carr J, *McCormick, *Lollar, *Dennis, *Doss, *Faison, *Lynn, *Moody, *Hall, *Spivey, *White M, *Carter, *Keisling, *Shipley, *Ragan, *Butt, *Kane, *Lundberg, *Bailey, *Williams R, *Sparks, *Coley, *Alexander, *Dean, *Watson, *Forgety, *Evans.

Rep. Powers moved adoption of House Joint Resolution No. 548.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 548 by deleting all language after the caption and by substituting instead the following:

WHEREAS, Article V of the United States Constitution requires the United States Congress to call a convention of states upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the Congress of the United States is directed to call a convention of states limited to proposing an amendment to the United States Constitution requiring that in the absence of a national emergency the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED, that this application is to be considered as covering the same subject matter as the presently-outstanding balanced budget applications from other states, including, but not limited to, previously-adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, and Texas; and that this application shall be aggregated with such applications for the purpose of attaining the applications from two-thirds of the legislatures from the several states necessary to require the calling of a convention, but shall not be aggregated with any applications on any other subject.

BE IT FURTHER RESOLVED, that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at

least two-thirds of the legislatures of the several states have made applications for similar relief pursuant to Article V.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Honorable Joseph R. Biden, Jr., Vice President of the United States and President of the U.S. Senate, Washington, D.C.; the Honorable John Boehner, Speaker of the House of Representatives, Washington, D.C.; to each member of the United States Senate and House of Representatives from Tennessee; and to the Archivist of the United States.

BE IT FURTHER RESOLVED, that copies of this resolution also be sent to the presiding officers of the other state legislative bodies in the United States, with the request that the other states join Tennessee in applying to Congress to call a convention of states for the limited purpose proposed in this resolution.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Powers moved adoption of **House Joint Resolution No. 548**, as amended, which motion prevailed by the following vote:

Ayes	89
Noes.....	2
Present and not voting.....	3

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Favors, Shaw -- 2

Representatives present and not voting were: Akbari, Camper, Cooper -- 3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Joint Resolution No. 548** and have this statement entered into the Journal: Rep(s). J. Turner.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1428** -- Pharmacy, Pharmacists - As introduced, revises pharmacy practices of local health departments; grants commissioner of health certain rulemaking authority. - Amends TCA Section 63-10-205. by *McCormick, *Littleton, *Brooks K. (SB1632 by *Norris, *Haile)

On motion, House Bill No. 1428 was made to conform with **Senate Bill No. 1632**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that Senate Bill No. 1632 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Littleton moved that **Senate Bill No. 1632** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Joint Resolution No. 540** -- Memorials, Recognition - Recognizes February 10, 1954, as the anniversary of the addition of the words, "under God," to the United States Pledge of Allegiance. by *Butt.

Rep. Butt moved adoption of House Joint Resolution No. 540.

Rep. Sanderson moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

3041

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MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

AMEND House Joint Resolution No. 540 By deleting the final resolving clause in its entirety and by substituting instead the following:

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives is directed to cause the text of this resolution to be transcribed into the House Journal.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Butt moved adoption of **House Joint Resolution No. 540**, as amended, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Haynes

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Joint Resolution No. 540** and have this statement entered into the Journal: Rep(s). Lynn.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1697** -- Education - As introduced, requires cursive writing to be taught in the third grade. - Amends TCA Title 49, Chapter 6, Part 10. by *Butt, *White D, *Brooks H, *White M, *Forgety, *Moody, *Spivey, *Bailey, *Goins, *Rogers, *Weaver, *Cooper, *Akbari, *Camper. (SB1881 by *Niceley)

Rep. Butt moved that House Bill No. 1697 be reset for the Regular Calendar on March 17, 2014, which motion prevailed.

***House Joint Resolution No. 552** -- Naming and Designating - State Constitution Day, February 6th. by *Butt, *Holt.

Rep. Butt moved adoption of House Joint Resolution No. 552.

Rep. Sanderson moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 552 by deleting the word "shall" in the last resolving clause and by substituting instead the word "may".

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Butt moved adoption of **House Joint Resolution No. 552**, as amended, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 1573** -- Landlord and Tenant - As introduced, shortens the period of time, after giving notice to a tenant for a breach in a rental agreement, in which a landlord may terminate a rental agreement under certain circumstances. - Amends TCA Title 66, Chapter 28. by *Butt, *Casada, *Lamberth, *Sanderson. (SB1787 by *Haile, *Ramsey)

On motion, House Bill No. 1573 was made to conform with **Senate Bill No. 1787**; the Senate Bill was substituted for the House Bill.

Rep. Butt moved that Senate Bill No. 1787 be passed on third and final consideration.

Rep. Lamberth moved the previous question, which motion prevailed.

Rep. Butt moved that **Senate Bill No. 1787** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	16
Present and not voting.....	1

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Parkinson, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Van Huss, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Hardaway, Johnson G, Miller, Mitchell, Pitts, Powell, Stewart, Towns, Turner J, Turner M -- 16

Representatives present and not voting were: Windle -- 1

A motion to reconsider was tabled.

***House Bill No. 1413** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the Insurance Holding Company Act of 1986. - Amends TCA Title 56. by *McCormick, *Kane, *Brooks K. (SB1617 by *Norris, *Watson)

On motion, House Bill No. 1413 was made to conform with **Senate Bill No. 1617**; the Senate Bill was substituted for the House Bill.

Rep. Kane moved that Senate Bill No. 1617 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kane moved that **Senate Bill No. 1617** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny,

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

McCormick, McDaniel, McManus, Miller, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 1617** and have this statement entered into the Journal: Rep(s). Floyd.

REGULAR CALENDAR, CONTINUED

House Bill No. 1652 -- Law Enforcement - As introduced, prohibits any state or local law enforcement officer from participating in a voluntary motor vehicle checkpoint conducted by a private company or research institute to collect a human sample from which DNA may be derived from consenting motorists stopped at the checkpoint for statistical studies or research. - Amends TCA Title 38, Chapter 8, Part 1. by *Matlock, *Hardaway, *Goins, *Dennis, *Bailey, *Lamberth, *Evans. (*SB1485 by *Bell)

On motion, House Bill No. 1652 was made to conform with **Senate Bill No. 1485**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that **Senate Bill No. 1485** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1448** -- Taxes, Agricultural and Open Spaces - As introduced, defines "capitalization rate" for greenbelt purposes as the average lending rate for agricultural land

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

based on the most recent survey by the State Board of Equalization of lenders at the time of the calculation. - Amends TCA Title 67, Chapter 5, Part 10. by *Hawk. (SB1677 by *Southerland)

On motion, House Bill No. 1448 was made to conform with **Senate Bill No. 1677**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 1677 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 1677** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Keisling, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Pody -- 1

Representatives present and not voting were: Windle -- 1

A motion to reconsider was tabled.

***House Joint Resolution No. 682** -- General Assembly, Confirmation of Appointment - David Watson, fish and wildlife commission. by *Floyd, *McCormick.

On motion, **Senate Joint Resolution No. 580** was substituted for House Joint Resolution No. 682.

Rep. Floyd moved the House concur in **Senate Joint Resolution No. 580**, which motion prevailed by the following vote:

Ayes	91
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G,

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Joint Resolution No. 687** -- General Assembly, Confirmation of Appointment - Connie King, Tennessee fish and wildlife commission. by *Johnson C, *McCormick.

On motion, **Senate Joint Resolution No. 582** was substituted for House Joint Resolution No. 687.

Rep. C. Johnson moved the House concur in **Senate Joint Resolution No. 582**, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 1549** -- Education - As introduced, establishes requirements for the adoption of educational standards; prohibits use of student data for purposes other than tracking academic progress and educational needs of students. - Amends TCA Title 49. by *Dunn, *Rogers, *Weaver, *White D, *Casada, *Matheny, *Carr J, *Matlock, *Womick, *Spivey, *Moody, *Butt, *McManus, *Brooks H, *White M, *Forgety, *Holt, *VanHuss, *Hill M, *Faison, *Rich, *Evans, *Sparks, *Durham, *Dean, *Swann, *Wirgau, *Ragan, *Johnson C, *Halford, *Todd, *Williams R, *Lundberg, *Coley, *Lynn, *Sexton, *Marsh, *Carter, *Sargent. (SB1835 by *Gresham, *Tracy)

Rep. Dunn moved that House Bill No. 1549 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

3047

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 1549 by deleting the preamble to the bill and by substituting instead:

WHEREAS, the federal government has no constitutional authority to set educational standards for Tennessee or to determine how children in Tennessee will be educated. Any partnership with the federal government is solely at the discretion of the state; and

WHEREAS, selection of educational standards for Tennessee public schools is the exclusive right of state and local education authorities; and

WHEREAS, intrusive data tracking is an invasion of the rights of students and their families and any data collected should be used for the sole purpose of tracking the academic progress and needs of students by Tennessee education officials; now, therefore,

AND FURTHER AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 3, is amended by adding the following language as a new, appropriately designated section:

49-1-3__.

(a) No educational standards shall be imposed on the state by the federal government. Any adoption of educational standards for the public schools of the state shall be done freely by the state board of education which, except as provided in subsection (b), may change, adjust or recede from a standard at any time.

(b) A proposed change or addition to an educational standard, including, but not limited to, the Next Generation Science Standards, the National

Curriculum Standards for Social Studies, the National Health Education Standards, or the National Sexuality Education Standards shall be posted for public review on the state board's web site and submitted to the education committees of the house of representatives and the senate at least sixty (60) days before the state board meeting during which the final adoption of the proposed standard is to be considered. The state board may vote on adoption of standards or proposed changes or additions only at a public meeting at which a quorum is in attendance.

(c) The state board shall not join a testing consortium inclusive of multiple states that requires the adoption of common standards in social studies or science subjects, unless the board provides at least sixty (60) days notice to the education committees of the house of representatives and the senate and posts such notice on its web site at least sixty (60) days before officially joining any such consortium.

(d) Data collected from the use of or testing under educational standards adopted by the state board shall be used for the sole purpose of tracking the academic prowess and needs of students.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding Sections 3 through 10 as a new, appropriately designated part.

SECTION 3. This part shall be known and may be cited as the "Data Accessibility, Transparency and Accountability Act".

SECTION 4. As used in this part:

(1) "Aggregate data" means data collected or reported at the group, cohort or institutional level;

(2) "Biometric record" means a record of one (1) or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual;

(3) "Data system" means the body of student data collected by the department of education;

(4) "De-identified data" means a student dataset in which parent and student identifying information, including the personal identification number, has been removed;

(5) "Department" means the department of education;

(6) "FERPA" means the federal Family Educational Rights and Privacy Act codified at 20 U.S.C. § 1232g;

(7) "Personal identification number" means the unique student identifier assigned to a student under § 49-6-5101;

(8) "State board" means the state board of education;

(9)

(A) "Student data" means data collected or reported at the individual student level that is included in a student's educational record;

(B) "Student data" includes:

(i) State and national assessment results, including information on untested public school students;

(ii) Course taking and completion, credits earned and other transcript information;

(iii) Course grades and grade point average;

(iv) Date of birth, grade level and expected graduation date or graduation cohort;

(v) Degree, diploma, credential attainment and other school exit information such as receipt of the GED® and drop-out data;

(vi) Attendance and mobility;

(vii) Data required to calculate the federal four-year adjusted cohort graduation rate, including sufficient exit and drop-out information;

(viii) Discipline reports limited to objective information sufficient to produce the federal Title IV annual incident report;

(ix) Remediation;

(x) Special education data; and

(xi) Demographic data and program participation information; and

(C) Unless included in a student's educational record, "student data" does not include:

(i) Juvenile delinquency records;

(ii) Criminal records;

(iii) Medical and health records;

(iv) Student social security number; and

(v) Student biometric information; and

(10) "Teacher data" means personal summative and evaluation scores, the access to which is limited to the department, LEA administrators, local boards of education or those with direct supervisory authority who require such access to perform their assigned duties. Nothing in this part shall restrict the availability of information pursuant to § 49-1-606.

SECTION 5. The state board of education shall:

(1) Create, publish and make publicly available a data inventory and dictionary or index of data elements with definitions of individual student data fields currently in the student data system along with the purpose or reason for inclusion in the data system;

(2) Develop, publish and make publicly available policies and procedures to comply with FERPA, § 10-7-504 and other relevant privacy laws and policies. These policies and procedures shall, at a minimum, require that:

(A) Access to student and de-identified data in the student data system is restricted to:

(i) The authorized staff of the department and the department's contractors who require access to perform their assigned duties;

(ii) LEA administrators, teachers and school personnel who require access to perform their assigned duties;

(iii) Students and their parents; provided, however, that a student or the student's parents may only access the student's individual data;

(iv) The authorized staff of other state agencies as permitted by law; provided, however, that within sixty (60) days of providing such access, the department shall provide notice of such release to the state board and the education committees of the house of representatives and the senate and post such notice on the department's web site;

(v) Parties conducting research for or on behalf of the department or an LEA, provided such access is granted in compliance with FERPA and other relevant state and federal privacy laws and policies, and provided the department shall provide notice of such release to the state board and the education committees of the house of representatives and the senate and post such notice on the department's web site;

(vi) Appropriate entities in compliance with a lawfully issued subpoena or court order; or

(vii) Appropriate officials in connection with an interagency audit or evaluation of a federal or state supported education program;

(B) The department uses only aggregate data in public reports or in response to public record requests in accordance with subdivision (3);

(C) The commissioner develops criteria for the approval of research and data requests from state and local agencies, the general assembly, researchers and the public; provided, however, that:

(i) Unless otherwise approved by the state board or permitted in this part, student data maintained by the department shall remain confidential; and

(ii) Unless otherwise permitted in this part or approved by the state board to release student or de-identified data in specific instances, the department may only use aggregate data in the release of data in response to research and data requests; and

(D) Students and parents are notified of their rights under federal and state law;

(3) Unless otherwise approved in this part or by the state board, the department shall not transfer student or de-identified data deemed confidential under subdivision (2)(C)(i) to any federal agency or other organization or entity outside the state, except when:

(A) A student transfers out of state or an LEA seeks help with locating an out-of-state transfer;

(B) A student leaves the state to attend an out-of-state institution of higher education or training program;

(C) A student registers for or takes a national or multistate assessment;

(D) A student voluntarily participates in a program for which such data transfer is a condition or requirement of participation;

(E) The department enters into a contract that governs databases, assessments, special education or instructional supports with an out-of-state vendor; or

(F) A student is classified as "migrant" for federal reporting purposes;

(4) Develop a detailed data security plan that includes:

(A) Guidelines for authorizing access to the teacher data system and to individual teacher data including guidelines for authentication of authorized access;

(B) Guidelines for authorizing access to the student data system and to individual student data including guidelines for authentication of authorized access;

(C) Privacy compliance standards;

(D) Privacy and security audits;

(E) Breach planning, notification and procedures; and

(F) Data retention and disposition policies;

(5) Ensure routine and ongoing compliance by the department with FERPA, § 10-7-504, other relevant privacy laws and policies, and the privacy and security policies and procedures developed under the authority of this part, including the performance of compliance audits;

(6) Ensure that any contracts that govern databases, assessments or instructional supports that include student or de-identified data and are outsourced to private vendors include express provisions that safeguard privacy and security and include penalties for noncompliance; and

(7) Notify the governor and the general assembly within sixty (60) days of the following:

(A) Any new student data fields included in the state student data system;

(B) Changes to existing data collections required for any reason, including changes to federal reporting requirements made by the United States department of education;

(C) Any exceptions granted by the state board in the past year regarding the release or out-of-state transfer of student or de-identified data accompanied by an explanation of each exception; and

(D) The results of any and all privacy compliance and security audits completed in the past year. Notifications regarding privacy compliance and security audits shall not include any information that would itself pose a security threat to the state or local student information systems or to the secure transmission of data between state and local systems by exposing vulnerabilities.

SECTION 6.

(a) Parents and guardians have the right to inspect and review their children's education records maintained by the school.

(b) Parents and guardians have the right to request student data specific to their children's educational records.

(c) LEAs shall provide parents or guardians with a copy of their children's educational records upon request.

(d)

(1) The department shall develop a model student records policy for LEAs that requires an LEA to:

(A) Annually notify parents and guardians of their right to request student information;

(B) Ensure security when providing student data to parents or guardians;

(C) Ensure student data is provided only to authorized individuals;

(D) Set the timeframe within which record requests must be provided; and

(E) Consider implementation of a plan to allow parents and guardians to view online, download, and transmit data specific to their children's educational records.

(2) The department shall develop the model student records policy by December 31, 2014. An LEA shall adopt the model policy or develop its own policy prior to the beginning of school for the 2015-2016 school year. Before implementing a policy other than the model policy, an LEA shall submit the policy to the department for approval.

SECTION 7. LEAs and schools shall not collect individual student data on:

(1) Political affiliation;

(2) Religion;

(3) Voting history; and

(4) Firearms ownership.

SECTION 8.

(a) Unless explicitly mandated by state or federal law, a state agency or education institution shall obtain written consent from parents or students, in the case of students eighteen (18) years of age or older, before collecting any individual student biometric data, student data relative to analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood volume, posture, and eye-tracking, or data resulting from state or national assessments or surveys that measure attitudes or perceptions toward drugs, alcohol or sex.

(b) No state agency or education institution shall pursue or accept any grant whether from the federal government or any private entity that requires collecting or reporting information in violation of subsection (a).

(c) No state or national student assessment shall be adopted or administered in this state that requires collecting or reporting information in violation of subsection (a).

SECTION 9. Any collection of student data by the department existing on July 1, 2014, shall not be considered a new student data collection in accordance with subdivision (7)(A) of Section 5 of this act.

SECTION 10. The state board is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 11. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Womick moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Womick moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Womick moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. Dunn moved that **House Bill No. 1549**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	9
Present and not voting.....	2

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 81

Representatives voting no were: Akbari, Favors, Fitzhugh, Hardaway, Johnson G, Miller, Parkinson, Towns, Turner M -- 9

Representatives present and not voting were: Cooper, Turner J -- 2

A motion to reconsider was tabled.

House Bill No. 1906 -- Education - As introduced, allows LEAs to teach the history of traditional winter celebrations; allows students and staff to use traditional greetings of such celebrations; and allows LEAs to display winter celebration scenes or symbols under certain conditions. - Amends TCA Title 49. by *Holt, *Evans. (*SB1425 by *Campfield, *Kelsey, *Yager)

Rep. Holt moved that House Bill No. 1906 be reset for the Regular Calendar on March 13, 2014, which motion prevailed.

***House Bill No. 1763** -- Consumer Protection - As introduced, enacts the "True Origin of Goods Act", to aid consumers in identifying persons who may be offering counterfeit goods on the Internet. - Amends TCA Title 47. by *McCormick, *Towns, *Turner J, *Turner M, *White M, *McManus, *Miller, *Sexton, *Mitchell, *Powell, *Stewart, *Camper, *Armstrong, *Hardaway, *Shaw. (SB1936 by *Johnson, *Yager)

On motion, House Bill No. 1763 was made to conform with **Senate Bill No. 1936**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 1936 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that **Senate Bill No. 1936** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry
3056

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, MARCH 10, 2014 – FIFTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Dennis -- 1

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2294** to be heard in the Civil Justice Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 1486** to be heard in the Transportation Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 1485** to be heard in the Transportation Subcommittee this week, which motion prevailed.

SPONSOR ADDED

Pursuant to **Rule No. 52**, and without objection, Speaker Harwell announced that Rep. Akbari would become a co-prime sponsor of **House Bill No. 957**.

BILLS WITHDRAWN

On motion of Rep. Powers, **House Bill No. 1725** was recalled from the State Government Committee and withdrawn from the House.

On motion of Rep. Powers, **House Bill No. 1454** was recalled from the Criminal Justice Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Calfee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 765 out of order which motion prevailed.

House Joint Resolution No. 765 -- Memorials, Recognition - Janelle Arthur. by *Calfee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Calfee, the resolution was adopted.

A motion to reconsider was tabled.

ANNOUNCEMENTS

REPORTS FILED

The Clerk announced the January report and the Quarterly Report of the Board of Judicial Conduct had been filed with the Clerk's Office and was available for review.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 415 Rep(s). Lynn as prime sponsor(s).

House Bill No. 964 Rep(s). Evans as prime sponsor(s).

House Bill No. 1080 Rep(s). K. Brooks, Windle and Stewart as prime sponsor(s).

House Bill No. 1372 Rep(s). Rogers and Calfee as prime sponsor(s).

House Bill No. 1375 Rep(s). M. White and H. Brooks as prime sponsor(s).

House Bill No. 1384 Rep(s). Rogers as prime sponsor(s).

House Bill No. 1483 Rep(s). Carter as prime sponsor(s).

House Bill No. 1485 Rep(s). M. Hill, McCormick, Towns, H. Brooks and Butt as prime sponsor(s).

House Bill No. 1667 Rep(s). Carter, Todd, Spivey, D. Carr, Dean, Lynn, Littleton, D. White and Weaver as prime sponsor(s).

House Bill No. 1844 Rep(s). Jernigan as prime sponsor(s).

House Bill No. 1869 Rep(s). Lynn, Littleton and Moody as prime sponsor(s).

House Bill No. 1894 Rep(s). H. Brooks and M. White as prime sponsor(s).

House Bill No. 2115 Rep(s). M. White as prime sponsor(s).

House Bill No. 2119 Rep(s). Faison as prime sponsor(s).

House Bill No. 2133 Rep(s). H. Brooks as prime sponsor(s).

House Bill No. 2156 Rep(s). Sparks and Durham as prime sponsor(s).

House Bill No. 2234 Rep(s). T. Hill as prime sponsor(s).

House Bill No. 2264 Rep(s). H. Brooks as prime sponsor(s).

House Bill No. 2294 Rep(s). D. White and Kane as prime sponsor(s).

House Bill No. 2451 Rep(s). McDaniel as prime sponsor(s).

House Bill No. 2477 Rep(s). McDaniel as prime sponsor(s).

House Bill No. 2491 Rep(s). D. White as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). McManus was/were removes as sponsor(s) of **House Bill No. 1766**.

REPORT OF CHIEF ENGROSSING CLERK

March 10, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 709, 710, 711, 712, 713, 714, 715, 716, 717 and 718; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

March 10, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No(s). 763;

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
March 10, 2014**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1243, 1414, 1759, 2138, 2251, 2302 and 2408.

GREG GLASS, Interim Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 91

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

RECESS

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Thursday, March 13, 2014.